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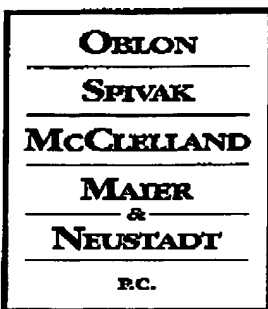
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TO	Group Art Unit 3729	April 11, 2005
	NAME	DATE
	U.S.P.T.O.	703-872-9306
	COMPANY/FIRM	FAX #
	NUMBER OF PAGES INCLUDING COVER: 8	CONFIRM FAX: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
FROM	Andrew T. Harry	220155US2PCT
	NAME	OUR REFERENCE
	703-412-3526	10/069,720
	DIRECT PHONE #	YOUR REFERENCE

MESSAGE

Per our telephone conversation with Examiner Carl Arbes on September 24, 2004, enclosed herewith is a copy of the Restriction Response that was filed on August 12, 2004, as evidenced by the date-stamped filing receipt. Please note this is a re-send of the facsimile dated September 24, 2004.

Unless otherwise indicated or obvious from the nature of the transmittal, the information contained in this facsimile message is attorney privileged and confidential information intended for the use of the individual or entity named above. If the reader of this message is not the intended recipient or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error or are not sure whether it is privileged, please immediately notify us by telephone and return the original message to us at the above address via the U.S. Postal Service at our Expense. Thank You.



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TO	Examiner Carl J. Arbes	September 24, 2004
	NAME	DATE
	U.S.P.T.O.	703-308-7058
	COMPANY/FIRM	FAX #
	NUMBER OF PAGES INCLUDING COVER: <u>7</u>	CONFIRM FAX: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
FROM	Andrew T. Harry	220155US2PCT
	NAME	OUR REFERENCE
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MESSAGE

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Dept.: E/M

OSMM&N File No. 220155US-2 PCT

By: GJM/ATH/dea

Serial No. 10/069,720

In the matter of the Application of: Shinichi OGIMOTO

For: APPARATUS AND METHOD FOR CARRYING SUBSTRATE

Due Date: 08/14/04

The following has been received in the U.S. Patent Office on the date stamped hereon:

- ☐ Dep. Acct. Order Form
- ☐ Letter/Cover
- ☐ Response to Restriction Requirement



dea

COPY

Docket No.: 220155US-2 PCT

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COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

ATTORNEYS AT LAW

GREGORY J. MAIER
(703) 413-3000
GMAIER@OBLON.COM

RE: Application Serial No.: 10/069,720

Applicants: Shinichi OGIMOTO

Filing Date: February 28, 2002

For: APPARATUS AND METHOD FOR CARRYING
SUBSTRATE

Group Art Unit: 3729

Examiner: ARBES, CARL J.

SIR:

Attached hereto for filing are the following papers:

RESPONSE TO RESTRICTION REQUIREMENT

Our check in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.
Gregory J. Maier

Registration No. 25,599

Customer Number

22850(703) 413-3000 (phone)
(703) 413-2220 (fax)

Raymond F. Cardillo

Registration No. 40,440

1940 DUKE STREET ALEXANDRIA, VIRGINIA 22314 U.S.A.
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DOCKET NO: 220155US-2 PCT

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :

SHINICHI OGIMOTO :

EXAMINER: ARBES, CARL J

SERIAL NO: 10/069,720 :

FILED: FEBRUARY 28, 2002 :

GROUP ART UNIT: 3729

FOR: APPARATUS AND METHOD FOR :
CARRYING SUBSTRATERECEIVED
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APR 11 2005RESPONSE TO RESTRICTION REQUIREMENTCOMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

In response to the communication mailed July 14, 2004, and further in response to the Restriction Requirement contained therein, Applicant herein provisionally elects the invention of Group I, Claims 1-9 and 11¹ which were indicated as being "drawn to a substrate device" in requirement.

Applicant further respectfully traverses this Restriction Requirement for the reason that Groups I and II have not been treated relative to making a showing of a lack of "unity of invention" as required by M.P.E.P. § 1893.03(d) and 37 C.F.R. § 1.475 since this is a national stage application filed under 35 U.S.C. § 371.

In this regard, M.P.E.P. § 1893.03(d) establishes that the Examiner "must (1) list the different groups of claims and (2) explain why each group lacks unity with each other group (i.e., why there is no single general inventive concept) specifically describing the unique

¹ Claim 11 was not addressed in the Restriction Requirement, however as discussed below Claim 11 should be properly included in Group I.